

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**NO. 13-CR-20212**

**vs.**

**HON. AVERN COHN**

**D-1 CRAIG CLAYTON,**

**Defendant.**

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**SENTENCING MEMORANDUM OF THE UNITED STATES**

The United States of America, through the undersigned Assistant United States Attorney, submits the following as its Sentencing Memorandum in the case of defendant Craig Clayton:

The Defendant is guilty of a serious crime wherein he breached his position of trust as a police officer for Highland Park, Michigan. In exchange for \$1,500, the Defendant violated his oath as a police officer and transported what he believed to be two kilograms of cocaine. The Defendant conspired with three other Highland Park police officers to transport and protect the shipment of cocaine. The Defendant and the other three police officers all brought firearms and police badges to do the work of transporting and protecting a shipment of cocaine. This gross breach of the law and their oaths as police officers was an extremely serious crime. The punishment of the Court should send a clear message to other law enforcement officers that such conduct cannot and will not be tolerated. This case is an important instance of the need to deter other police officers from breaking the law and taking bribes. As a result, a sentence of imprisonment is needed because of the seriousness of the crime, the need for general deterrence, and the need to promote respect for the law. The public needs to know that law enforcement officers who break the law will be punished.

**I. The Defendant's Crimes Were Serious**

The Defendant's criminal acts as a police officer were very serious crimes. The conspiracy that defendant Clayton joined involved four police officers all assisting in the protection and transportation of four kilograms of cocaine. Drug trafficking involving such quantities of drugs would normally amount to a serious crime. Carrying a gun and transporting kilograms of cocaine is so serious that it carries a mandatory ten years of imprisonment--five years for carrying the gun and five years for the quantity of cocaine. In this instance, however, the crime was even worse because four police officers chose to lend their power as law enforcement officials to actually protect and carry out criminal activity. The officers brought their police badges and guns in order to protect and to participate in criminal conduct. Defendant Clayton, while carrying his pistol, drove a car that he believed contained two kilograms of cocaine. His badge and gun would serve to protect the drugs that he was transporting for a man he believe to be a serious drug trafficker. Because of their badges, weapons, power, and knowledge, police officers who assist drug traffickers magnify the seriousness of their crimes.

**II. Other Police Officers Need to Be Deterred From Breaking the Law and Taking Bribes**

The sentence imposed on defendant Clayton must be sufficient to deter other police officers from taking bribes from criminals to break the law or to not do their jobs as members of law enforcement. Although there is little, if any, need to deter defendant Clayton from future criminal acts, there is a strong need to send a decisive message to other police officers that they will receive serious punishment if they abuse their positions of trust. Every day, law enforcement officers face the temptation of abusing their positions of power and public trust. The community of law

enforcement officers around southeast Michigan and around the state will know exactly the nature of the sentence that this Court imposes in this case. A sentence of imprisonment will send a strong message to police officers in southeast Michigan to ensure that they maintain their oaths and not abuse their positions of trust. Police officers wield immense power, and a sentence of imprisonment on defendant Clayton will help to deter corrupt decisions from being made in wielding that power.

**III. The Sentence Imposed Should Promote Respect for the Law**

Given the Defendant's position as a law enforcement officer, it is important that the Court's sentence promote respect for the law. A sentence of imprisonment would demonstrate that no one is above the law, no matter their position as a police officer. In fact, police officers should be held to a higher standard given their positions of trust, power, and responsibility.

**IV. The Defendant Has Demonstrated Genuine Remorse**

Unlike many defendants who appear before the Court, defendant Clayton has demonstrated sincere and genuine remorse and acceptance of responsibility. The Court should take this fact into consideration in fashioning a sentence.

**V. Conclusion**

The United States respectfully requests that the Court impose a custodial sentence on the Defendant. Such a sentence would deter other police officers, it is necessary given the seriousness

of the Defendant's crime, and it would be just punishment for the Defendant's crimes. The Court also should recognize the Defendant's cooperation with the government, as well as his sincere acceptance of responsibility.

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Dated: June 21, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that on June 21, 2013, I caused the foregoing document to be filed with the Clerk of the Court, and caused a copy of this document to be served on the following:

Pamella R. Szydlak

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